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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: GARRY W. BUSBOOM, ET AL. GROUP NO.: 3616

SERIAL NO.: 09/135,926

FILED : August 18, 1998

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TITLE : A LAWN MOWER HAVING FLOW CONTROL BAFFLES  
AND REMOVABLE MULCHING BAFFLES

PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102(d) -- INFRINGEMENT

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

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Dear Sir:

Pursuant to 37 CFR 1.102(d), applicants hereby petition the Commissioner to make the subject application special so that it may be taken out of turn for immediate action.

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A statement by the undersigned attorney representing applicants accompanies this Petition, and is believed to fulfill the requirements of MPEP Section 708.02 II.

This application has been filed and given the serial number noted above. Due to the fact that applicants' claims are being infringed (see appended statement of applicants' attorney) and applicants require a patent in order to terminate such infringement, this Petition to Make Special is being filed.

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In view of the above, the applicants request that this Petition to Make Special be granted and that the examination of the application be advanced.

A check for the payment of the Petition fee required under 37 CFR 1.17(i) is enclosed herewith.

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Respectfully submitted,

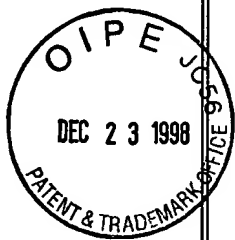
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*Dec 23, 1998*



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STATEMENT ACCOMPANYING PETITION TO MAKE SPECIAL

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

This Statement accompanies the applicants' Petition to Make Special by reason of infringement in the above-identified case. The undersigned attorney, representing applicants, hereby states:

1. That there is an infringing product actually on the market.

2. That I have made a rigid comparison of the alleged infringing product with the claims of this application, and, in my opinion, some of the claims are unquestionably infringed.

3. I have a good knowledge of the pertinent prior art in view of the examinations which were conducted in application Serial No. 08/559,575 filed November 16, 1995, and in application Serial No. 08/784,825 filed January 17, 1997, which is the parent application of the instant application.

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Respectfully submitted,

*Dennis L. Thomte*

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